

AMENDMENT TO H.R. 5356
OFFERED BY MR. MILLER OF NORTH CAROLINA

Page 20, line 24, redesignate section 13 as section 14.

Page 20, after line 23, insert the following new section:

1 SEC. 13. PRECOMPETITIVE INNOVATION INVESTMENT.

2 The Stevenson-Wydler Technology Innovation Act of
3 1980 (15 U.S.C. 3701 et seq.) is amended by adding at
4 the end the following new section:

5 “SEC. 24. PRECOMPETITIVE INNOVATION INVESTMENT.

6 “(a) DEFINITIONS.—In this section:

7 “(1) INSTITUTION OF HIGHER EDUCATION.—

8 The term ‘institution of higher education’ has the
9 meaning given that term in section 101(a) of the
10 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

11 “(2) PRECOMPETITIVE.—The term
12 ‘precompetitive’ means the period after completion
13 of basic research but before completion of proof of
14 concept.

15 “(b) GRANT PROGRAM.—The National Science Foun-
16 dation shall establish a program of grants to institutions



1 of higher education to enable them to bridge the gap be-
2 tween laboratory discovery and commercially viable re-
3 search.

4 “(c) USE OF GRANT AMOUNTS.—Amounts provided
5 in a grant under this section may be used for the estab-
6 lishment of precompetitive technology transfer centers,
7 which can be used to advance inventions made at the insti-
8 tution of higher education that have market potential to
9 the point where they can attract other private or public
10 funding, through—

11 “(1) enlisting the assistance of commercializa-
12 tion specialists to assist the institution of higher
13 education in areas such as the formation of a small
14 business, licensing, or other method of commer-
15 cialization;

16 “(2) establishing proof-of-concept;

17 “(3) technology feasibility studies;

18 “(4) concept analysis;

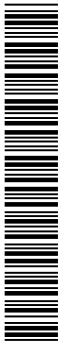
19 “(5) market assessment or study;

20 “(6) development and testing of a basic proto-
21 type;

22 “(7) patenting and licensing expenses; or

23 “(8) development of a business plan.

24 “(d) APPLICATION REQUIREMENT.—An applicant for
25 a grant under this section shall establish to the satisfac-



tion of the National Science Foundation its ability to carry out the activities described in subsection (c) for which the grant will be used.

“(e) SELECTION PREFERENCES.—The National Science Foundation shall give preference in the selection of grantees under this section to—

“(1) institutions of higher education that work with outside agencies such as State and local government, businesses, and economic development organizations;

“(2) institutions of higher education that match Federal funds used in grants made under the program; and

“(3) institutions of higher education that work with other institutions of higher education, including institutions too small to have their own technology licensing office.

“(f) EQUAL ACCESS TO GRANTS.—The National Science Foundation shall strive to ensure equal access to grants under this section for Historically Black Colleges and Universities, and Minority Serving Institutions.

“(g) LIMIT ON NUMBER OF GRANTS.—No institution of higher education shall receive a grant under this section for more than 4 years.”.

